

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DAVID C. LETTIERI,

Plaintiff,

-against-

U.S. IMMIGRATION AND CUSTOMS  
ENFORCEMENT,

Defendant.

24cv5032 (LTS)

CIVIL JUDGMENT

For the reasons stated in the November 4, 2024, order, this action is dismissed. The Court denies Plaintiff's request to proceed IFP, and the complaint is dismissed without prejudice under the PLRA's "three-strikes" rule. See 28 U.S.C. § 1915(g).<sup>4</sup> Plaintiff is barred from filing any future action IFP while he is in custody, unless he is under imminent threat of serious physical injury.<sup>5</sup> *Id.* The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962). SO ORDERED.

Dated: November 8, 2024  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge